IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No.26974 of 2005

Between:

B.Nagendra.

..... PETITIONER

AND

1. The Govt. of A.P., rep. by its Secretary,

Home department, secretariat Buildings,

Hyderabad and others.

.....RESPONDENTS

ORDER: ***(Per Hon'ble Sri Justice Bilal Nazki,)***

There were allegations that the petitioners were kept in wrongful confinement. On 02-01-2006, we passed the following order:

> 'The allegations levelled in the writ petition as to the wrongful confinement of two detenus have not been accepted in the counter-affidavit. It has been stated in the counter-affidavit that those persons were brought to the Police Station on 27-11-2005 for examination, and they were examined and let off, whereas the detenus themselves have filed affidavits stating therein that they were kept in custody for twenty (20) days from 27-11-2005 and that they were only released after the writ petition was filed on 21-12-2005.
>
> In these circumstances, it is necessary to make an enquiry and come to conclusion whether the detenus were in illegal confinement for twenty (20) days or they were merely examined and let off.
>
> Let the papers be sent to the learned Sessions Judge, Kadapa District, who shall conduct an enquiry in to the matter and report as to whether the detenus were in custody for 20 days as alleged by them or not. The report shall be filed in this Court within eight (8) weeks.
>
> List after eight (8) weeks.'

Now, a detailed report has been received from the learned Sessions Judge, Kadapa, who has stated as under:

> 'In view of the fore-gone discussion, I hold that the contention of the writ petitioner i.e., P.W.1 and the alleged detenues i.e. P.Ws.5 and 6 that P.Ws.5 and 6 have been wrongfully detained and illegally confined in police custody for more than 20 days by Respondents 3 and 4, is not made out. What one can reasonable see is that the contention of the writ petitioner i.e. P.W.1 and the alleged detenues i.e. P.Ws.5 and 6 that P.Ws.5 and 6 have been put in illegal confinement for more than 20 days by Respondents 3 and 4, is not believable and is not substantiated by the evidence adduced for the writ petitioner and the alleged detenues. On the other hand, the

evidence on record is probablising the version of Respondents 3 and 4 that they merely examined P.Ws.5 and 6 the alleged detenues, and let them off.'

In view of this report, we do not feel that any further orders are necessary to be passed in this Writ Petition.

Writ Petition is, accordingly, dismissed. No costs.

(Bilal Nazki, J)

10th April, 2006

(G.Chandraiah, J)

LUR